



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)

Akira MASE et al.)

Serial No. 09/995,866)

Filed: November 29, 2001)

For: CONDUCTIVE PATTERN PRODUCING)
METHOD AND ITS APPLICATIONS)

Examiner: H. Nguyen

Group Art Unit: 2871

CERTIFICATE OF MAILING

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Class Mail in an envelope addressed to: Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450, on 5.5.03

Adrian M. Stamp

RESPONSE

Commissioner for Patents
Washington, DC 20231

Sir:

The Official Action mailed December 4, 2003 has been received and its contents carefully noted. Filed concurrently herewith is a *Request for Two Month Extension of Time*, which extends the shortened statutory period for response to May 5, 2003. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Official Action contends that the Information Disclosure Statement filed November 26, 2001, fails to comply with 37 CFR 1.98(a)(2). The Applicant respectfully disagrees. Please note that the present application is a Division (DIV) of copending application Serial No. 08/219,853, filed March 30, 1994, now U.S. Patent 6,383,327, which is a Continuation (CON) of Serial Nos. 07/807,747, 07/442,453 and 07/136,567, filed December 17, 1991, November 30, 1989 and December 22, 1987, respectively, all of which are now abandoned. Under 37 CFR 1.98(d)(1), the Applicant is permitted to rely on an earlier submission of prior art in a parent application if the "earlier application is properly identified in the Information Disclosure Statement and is relied on for an earlier effective filing date under 35 U.S.C. 120." The above-referenced applications are properly identified in the Information Disclosure Statement, and the application data sheet of the present invention show that the present application claims the benefit of priority from the above-referenced applications. As such, the Applicant respectfully

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submits that the IDS fully complies with 37 CFR 1.98 and should be considered by the Examiner. If there are any particular references that cannot be located by the Examiner in the above-referenced applications, the Applicant requests that such references be specifically identified in a subsequent communication so that Applicant can provide further copies of these references for consideration.

Claims 2-9 are now pending in the present application, of which claims 2, 4, and 7 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance.

The Official Action rejects claim 3 under 35 U.S.C. 112, second paragraph, asserting that the claim is indefinite. Independent claim 2 recites, "a first layer comprising silver," and dependent claim 3 recites "wherein said first layer is formed by applying a conductive paste over the glass substrate." Therefore, in both claims 2 and 3, the first layer comprises at least silver. In claim 3, the first layer is formed from a conductive paste. Claim 2/3 does not include a narrow range or limitation that falls within a broad range or limitation, but rather recite two different limitations directed to the recited first layer. As such, the Applicant respectfully submits that claim 3 is definite. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 112 is in order and respectfully requested.

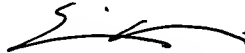
Paragraph 1 of the Official Action rejects claims 2 and 3 as obvious based on the combination of U.S. Patent 4,385,976 to Schuster-Wolden et al. and U.S. Patent 6,040,056 to Anzaki et al. Paragraph 2 of the Official Action rejects claims 4-9 as obvious based on the combination of Schuster-Wolden, Anzaki, and U.S. Patent No. 4,680,226 to Takeda. The Official Action appears to rely on a disclosure in Anzaki relating to JP-A-63-187399, which may also be found as JP19880187399.

The Applicant respectfully traverses the rejection because Anzaki and JP '399 are not available as prior art against the present invention. The Applicant respectfully submits that the filing date of Anzaki is May 29, 1997. Although Anzaki makes reference to JP '399, JP '399 corresponds with JP2037326, published February 7, 1990. The effective U.S. filing date of the subject application is December 22, 1987. Therefore, Anzaki, JP '399 and JP '326 are not available as prior art against the present

invention. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) is in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



Eric J. Robinson
Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789



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PTO/SB/21 (08-00)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/995,866		
	Filing Date	November 29, 2001	
	First Named Inventor	Akira MASE	
	Group Art Unit	2871	
	Examiner Name	H. Nguyen	
Total Number of Pages in This Submission		Attorney Docket Number	0756-2401

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Declaration and Power of Attorney	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Other Enclosures
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	1.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	2.
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	3.
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> CD, Number of CD(s) _____	4.
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	5.
	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-2280 for the above identified docket number.	6.

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eric J. Robinson, Reg. No. 38,285 Robinson Intellectual Property Law Office, P.C. PMB 955 21010 Southbank Street Potomac Falls, VA 20165
Signature	
Date	May 5, 2003

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Type or printed name	Adele M. Stamper		
Signature		Date	May 5, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

**FEE TRANSMITTAL
FOR FY 2003**

Patent fees are subject to annual revision.

Complete if Known	
Application Number	09/995,866
Filing Date	November 29, 2001
First Named Inventor	Akira MASE
Examiner Name	H. Nguyen
Group Art Unit	2871
Attorney Docket No.	0756-2401

TOTAL AMOUNT OF PAYMENT (\$ 410.00)

METHOD OF PAYMENT

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-2280

Deposit Account Name Robinson Intellectual Property Law Office

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 and credit overpayments

- ☐
- Applicant claims small entity status. See 37 CFR-1.27

- 2.
- ☒
- Payment Enclosed:

- ☒
- Check
- ☐
- Credit Card
- ☐
- Money Order
- ☐
- Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	750	201	375	Utility filing fee	
106	330	206	165	Design filing fee	
107	520	207	260	Plant filing fee	
108	750	208	375	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims -20** = X =

Independent Claims -3** = X =

Multiple Dependent =

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	410	200	205	Extension for reply within second month	\$410.00
117	930	460	465	Extension for reply within third month	
118	1,450	720	725	Extension for reply within fourth month	
128	1,970	228	985	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.29(b))	
179	750	279	375	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 410.00)

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*Adrian Stanger*TECHNOLOGY CENTER 280C
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Name (Print/Type)		Registration No.		Telephone	
Eric J. Robinson		38,285		(571) 434-6789	
Signature		(Attorney/Agent)		Date	
<i>[Signature]</i>				May 5, 2003	

Complete (if applicable)